

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNIVERSAL TRADING & INVESTMENT
COMPANY,

Plaintiff,

v.

PETRO MIKOLAYEVICH KIRITCHENKO,
et al.,

Defendants

No. C-99-3073 MMC (EDL)

**ORDER DENYING PLAINTIFF'S
OBJECTIONS TO MAGISTRATE
JUDGE'S REPORT AND
RECOMMENDATION ON TAXATION OF
COSTS; AWARDING COSTS TO
KIRITCHENKO DEFENDANTS AND
DEFENDANT MICHAEL MENKO;
VACATING HEARING**

Before the Court are plaintiff Universal Trading & Investment Company's objections to Magistrate Judge Elizabeth D. Laporte's Report and Recommendation regarding taxation of costs. Defendants Peter, Izabella, and Ludmilla Kiritchenko, Bancross U.S. Holdings, Inc., BRC Property Holdings, LLC, Xanadu Property Holdings, LLC, and ABS Trading, Inc. (collectively, "Kiritchenko Defendants") have filed opposition thereto, in which defendant Michael Menko ("Menko") has joined and to which plaintiff has replied. Having reviewed the papers filed in support of and in opposition to the objections, the Court finds the matter appropriate for resolution without oral argument, see Civil L.R. 7-1(b), hereby VACATES the hearing scheduled for May 23, 2008, and rules as follows.

Having reviewed the matter de novo, the Court, for the reasons expressed in the Report and Recommendation, hereby ADOPTS the Report and Recommendation in its

1 entirety and overrules plaintiff's objections thereto. Accordingly, the Court hereby awards
2 costs as follows:

3 1. The Kiritchenko Defendants are hereby awarded costs in the amount of
4 \$51,669.02, for costs itemized in the Kiritchenko Defendants' revised bill of costs filed
5 March 24, 2008.

6 2. Defendant Menko is hereby awarded costs in the amount of \$3,366.04, for costs
7 itemized in Menko's revised bill of costs filed March 24, 2008.

8 **IT IS SO ORDERED.**

9 Dated: May 21, 2008


MAXINE M. CHESNEY
United States District Judge